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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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James Lavoie

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EXAMINER

TORIMIRO, ADETOKUNBO OLUSEGUN

ART UNIT

PAPER NUMBER

3714

MAIL DATE

DELIVERY MODE

06/11/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/726,355	Applicant(s) LAVOIE ET AL.	
	Examiner Adetokunbo O. Torimiro	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>03/09/2004</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because it contains 271 words, which is more than the allowed range of 50-150 words. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 2 is rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claim 2: the limitation "the predetermined number of drawn bingo numbers is one" is unclear as to what exactly the Applicant is claiming. The Examiner has interpreted this limitation as the number needed/used on a bingo card.

Appropriate clarification is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-5 and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over DiFrancesco et al (US 4,661,906) in view of Orter (US 4,252,322)

Re claims 1 and 5: DiFrancesco et al teaches a computer-implemented method of determining winners of a large-scale bingo game (**see col.1, lines 6-11**), the method comprising: (a) drawing bingo numbers until at least one winning card exists; and wherein (b) comprises identifying cards that include no bingo numbers that have been drawn during the drawing of a second predetermined number of drawn bingo numbers (**see fig.7; col.1, lines 25-45**).

However, DiFrancesco et al teaches identifying but does not teach (b) identifying bonus cards that have less than a predetermined number of drawn bingo numbers.

Orter teaches identifying bonus cards that have less than a predetermined number of drawn bingo numbers (**see col.1, lines 28-68**).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to make this combination so has to provide a bonus triggering event and so has to identify the bonus cards available in the game.

Re claim 2: DiFrancesco et al discloses the method wherein the predetermined number of drawn bingo numbers is one (**see fig.6; col.6, lines 32-38**).

Re claim 3: DiFrancesco et al teaches the method wherein (b) comprise analyzing entries in card bitmaps (91) (see **fig.5; col.5, lines 11-65**).

Re claim 4: DiFrancesco et al teaches the method wherein (b) comprise identifying cards that include no bingo numbers that that has been drawn during a predetermined length of time (see **col.4, line 66-col.5, line 3**).

Re claims 9 and 10: DiFrancesco et al teaches a computer-implemented method of determining winners of a large-scale bingo game (see **col.1, lines 6-11**).

However, DiFrancesco et al does not teach determining a bingo card bonus coordinate position; analyzing bingo card records that each identify values assigned to the coordinate position; and determining which bingo card records include a predetermined value in the coordinate position wherein the predetermined value corresponds to a drawn number.

Orter teaches determining a bingo card bonus coordinate position; analyzing bingo card records that each identify values assigned to the coordinate position; and determining which bingo card records include a predetermined value in the coordinate position; wherein the predetermined value corresponds to a drawn number (see **col.1, lines 28-68**).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to make this combination so has to provide a bonus triggering event and so has to identify the bonus cards available in the game; also DiFrancesco discloses the claimed invention except for the specific arrangement and /or content of indicia (printed matter) set-forth

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in the claim(s). It would have been obvious to one having ordinary skill in the art at the time of the invention was made to make this combination of DiFrancesco and Orter, since it would only depend on the intended use of the assembly and the desired information to be displayed.

Re claim 11: DiFrancesco et al teaches the method wherein the bingo card records comprise card maps (91) (see fig.5; col.5, lines 11-65).

7. Claims 6-8,12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over DiFrancesco et al (US 4,661,906) in view of Orter (US 4,252,322) and Seelig et al (US 6,450,884). The teachings of DiFrancesco et al have been discussed above.

Re claim 6-8: DiFrancesco et al teaches the computer-implemented method of determining winners.

However, DiFrancesco et al fails to teach the method further including: (c) identifying cards that are both the at least one winning card in (a) and the bonus cards in (b); the method further including: (d) awarding a prize to cardholders of the cards identified in (c) that is of greater value than a prize awarded to cardholders of the at least one winning card in (a); the method of claim 1, further including: awarding a prize to cardholders of the cards identified in (b) that is of less value than a prize awarded to cardholders of the at least one winning card in (a).

Orter teaches the method further including: (c) identifying cards that are both the at least one winning card in (a) and the bonus cards in (b) (see col.1, lines 28-68).

Seelig et al teaches the method further including: (d) awarding a prize to cardholders of the cards identified in (c) that is of greater value than a prize awarded to cardholders of the at least one winning card in (a); the method of claim 1, further including: awarding a prize to cardholders of the cards identified in (b) that is of less value than a prize awarded to cardholders of the at least one winning card in (a) (**see fig.8; col.1, lines 39-57**).

Therefore it would have been to one of ordinary skill in the art at the invention was made to include a bonus feature in the bingo game with a higher payout prize based on the outcome of the primary game and the bonus game so has to make the players more interested in the game thereby increasing player's excitement, enjoyment, and interest in the game; it is also obvious for a card having less than predetermined number to have a prize award that is of less value than a regular winning card.

Re claims 12 and 13: DiFrancesco et al teaches a computer-implemented method of determining winners of a large-scale bingo game (**see col.1, lines 6-11**).

However, DiFrancesco et al fails to teach the method further including awarding a prize to contestants having bingo cards that include the predetermined value; the method further including awarding a bonus prize to contestants having bingo cards that include winning patterns and the predetermined value.

Seelig et al teaches the method further including awarding a prize to contestants having bingo cards that include the predetermined value; the method further including awarding a bonus prize to contestants having bingo cards that include winning patterns and the predetermined value.

Therefore it would have been to one of ordinary skill in the art at the invention was made to include a bonus feature in the bingo game with a higher payout prize based on the outcome of the primary game and the bonus game so has to make the players more interested in the game thereby increasing player's excitement, enjoyment, and interest in the game.

8. Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over DiFrancesco et al (US 4,661,906) in view of Orter (US 4,252,322) and further in view of Odom (US 6,581,935).

Re claims 14-16: DiFrancesco et al teaches a computer-implemented method of determining winners of a large-scale bingo game (**see col.1, lines 6-11**).

However, DiFrancesco et al fails to teach the method wherein the coordinate position is determined before a corresponding bingo game; wherein the coordinate position is determined by a contestant before a corresponding bingo game; wherein the coordinate position is determined after a corresponding bingo game.

Odom teaches the method wherein the coordinate position is determined before a corresponding bingo game; wherein the coordinate position is determined by a contestant before a corresponding bingo game (**see col.3, line 56-line 2**); wherein the coordinate position is determined after a corresponding bingo game (**see col.3, lines 43-45**).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to make this combination so has to give the player and the game different variety and the option to personalize the coordinate positions and the numbers assigned to them, thereby making the game more interesting and increasing the player's excitement in the game.

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Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bolan discloses an electronic bingo player; Lovell discloses a bingo game card; Bennett et al discloses a gaming machine with bingo feature; Fioretti disclose methods and apparatus for playing bingo over a wide geographic area.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adetokunbo O. Torimiro whose telephone number is (571) 270--1345. The examiner can normally be reached on Mon-Fri (8am - 4pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

AT


ROBERT E. PEZZUTO
SUPERVISORY PRIMARY EXAMINER